


that these portions of the testimony should be excluded. ACSI states authority for the proposition that the law in South Carolina is absolutely clear that opinion evidence may be rendered as to facts and issues, but that testimony which consists of conclusions of law is inadmissible. See O'Quinn v. Beach Associates, 272 S.C. 95, 249 S.E.2d 734 (1978).

Southern Bell has filed a response and states that the parties recognize that this Application at bar presents many complex issues of first impression in this State to this Commission, and that Denton's testimony is an attempt to present public policy concerns which Southern Bell believes that ACSI's Application presents to the Commission.

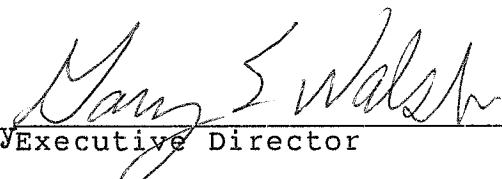
The Commission has examined this matter and holds that ACSI's Motion in Limine should be granted. We believe that the testimony of David B. Denton offers legal opinions on evidence. This may not be done under O'Quinn v. Beach Associates, supra. We therefore hold that Denton's testimony as it stands may not be presented to the Commission and is hereby excluded from the hearing. We believe

that the language and information in that testimony is more properly presented in a Brief. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Deputy Executive Director
(SEAL)